

Serial No.: 09/965,750
Attorney Docket No.: F-350

Patent

REMARKS

1. Status of Claims

Claims 1-18 were pending in the Application. Applicant respectfully requests consideration of the enclosed remarks. Accordingly, claims 1-18 will remain pending in the application.

2. Objection to the Specification

In section 2-4 of the Office Action, the Examiner objected to the specification. Regarding the requested update of status, serial number 09/965,753 is on appeal and there is no status to update. Accordingly, Applicants respectfully request that the Examiner withdraw the objection.

3. Rejections under 35 USC § 112

In section 5 of the Office Action, the Examiner rejected Claims 1-18 under 35 U.S.C. 112, second paragraph as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Applicants respectfully traverse the rejection.

For example, with regard to the rejection stated in section 5.1, it would be clear to one of skill in the art how to build such a control system and how to use a previously established parsing parameter.

Clear black letter law states that the claims are not limited to a particular embodiment described in a specification. Laitram Corp. v. Cambridge Wire Cloth Co., 863 F.2d 855 (Fed. Cir. 1988). Here, the invention as presently claimed is completely consistent with the embodiments described and would be understood by one of skill in the art with reference to the specification. See Orthokinetics, Inc. v. Safety Travel Charis, Inc., 806 F.2d 1565, 1 PQ2d 1081 (Fed. Cir. 1986).

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Accordingly, Applicants respectfully submit that claims 1-18 comply with 35 U.S.C. section 112 and respectfully request that the Examiner withdraw the rejection.

4. Rejections under 35 USC § 101

In section 7 of the Office Action, the Examiner rejected Claims 1-18 under 35 U.S.C. 101, as allegedly directed to non-statutory subject matter.

Applicants respectfully traverse the rejection.

Applicants incorporate the comments above regarding the rejection under 35 USC section 112. Claims 1-7 recite a system. Claims 8-18 clearly recite processes that satisfy the requirements of 35 USC 101 and that clearly provide a useful, concrete, and tangible result including a novel, non-obvious method of operating a payment processing system. *See State Street Bank & Trust Co. v. Signature Financial Group, Inc.*, 149 F.3d 1368 (Fed. Cir. 1998).

Accordingly, Applicants respectfully submit that claims 1-18 satisfy the requirements of 35 USC 101 and respectfully request that the Examiner withdraw the rejection.

5. Conclusion Of Remarks

For at least the reasons stated above, it is respectfully submitted that the claims of this application are in condition for allowance and early and favorable action thereon is requested.

If the Examiner believes that additional issues may be resolved by a telephone interview, the Examiner is respectfully urged to telephone the undersigned attorney for Applicant at (203) 924-3180.

6. Authorization

No fee is believed due with this response. However, the Commissioner is hereby authorized to charge any additional fees which may be required for the response or credit any overpayment to the Pitney Bowes, Inc. Deposit Account Number 16-1885, Order No. F-350.

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In the event that an extension of time or additional extension of time is required to make this response timely filed, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely. The Commissioner is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to the Pitney Bowes, Inc. Deposit Account Number 16-1885, Order No. F-350.

Respectfully submitted,



George M. Macdonald
Reg. No. 39,284
Attorney for Applicant
Telephone (203) 924-3180

PITNEY BOWES INC.
Intellectual Property and Technology Law Department
35 Waterview Drive, P.O. Box 3000
Shelton, CT 06484-8000